



AMERICAN **BAR** ASSOCIATION

Forum on Construction Law

2023 REGIONAL PROGRAM



2023 Construction Law Foundations

A combination of two of the Forum's most popular Regional Programs – Fundamentals of Construction Law and Sticks & Bricks.

NOVEMBER 2 - 3, 2023

Atlanta, GA | Philadelphia, PA

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Forum on Construction Law
Building the Best Construction Lawyers

PROGRAMS | PUBLICATIONS | PEOPLE

2023 Construction Law Foundations

On November 2 & 3, 2023, the ABA Forum on Construction Law will present 2023 Construction Law Foundations in four cities across the country. Foundations is a two-day continuing legal education program combining two of the Forum's most popular Regional Programs on consecutive days – Fundamentals of Construction Law (for the legal angle) and Sticks & Bricks (for the technical piece).

Foundations will be offered live in Atlanta, Philadelphia, St. Louis and San Francisco and will be taught by leading construction professionals and seasoned construction lawyers in each city. Those attending will learn essential technical and legal underpinnings of construction, including the key elements of vertical construction systems and technology, the roles of the key participants in a project, the structure of project delivery systems, the bidding and construction process, insurance and bonding requirements, scheduling on construction projects, and much more! Tuition includes the Fundamentals of Construction Law (2nd Ed.) book and the Sticks & Bricks book. Other Forum publications will be available to purchase at a discount.

This program is a must for those looking to expand their knowledge of construction law. Whether new to these concepts or as a refresher, attendees will learn to better comprehend complex technical concepts and identify and anticipate legal risks.

Program Co-Chairs

Jeff Reichard
Maynard Nexsen PC
Greensboro, NC

Jean Terry
Manion Stigger, LLP
Louisville, KY

Program Marketing Liaison Chair

Nour Bouhou, PhD, PSP
ASLPM
Bonita, CA

Forum Chair

John Marshall Cook
Fox Rothschild, LLP
Washington, DC

Governing Committee Liaison

Kristen Sherwin
Winstead PC
Dallas, TX

Regional Meeting Program Schedule

November 2, 2023

8:00 A.M. - 8:30 A.M.	Registration and Breakfast
8:20 A.M. - 8:30 A.M.	Opening Remarks
8:30 A.M. - 9:30 A.M.	Plenary 1: The Players in Construction, Anatomy of a Construction Project, Project Delivery Systems
9:30 A.M. - 9:45 A.M.	Break
9:45 A.M. - 11:00 A.M.	Plenary 2: The Bidding Process, The Construction Contract
11:00 A.M. - 12:15 P.M.	Plenary 3: Schedules and Delays, Changes, and Differing Site Conditions
12:15 P.M. - 1:30 P.M.	Sponsored Lunch Discussion
1:30 P.M. - 2:45 P.M.	Plenary 4: Termination, Job Completion, and Contractor Payment
2:45 P.M. - 4:00 P.M.	Plenary 5: Construction Insurance and Bonding
4:00 P.M. - 4:15 P.M.	Break
4:15 P.M. - 5:30 P.M.	Plenary 6: Dispute Resolution, Remedies for Nonpayment, and Statutes Impacting Construction
6:00 P.M. - 8:00 P.M.	Welcome Reception

November 3, 2023

8:00 A.M. - 8:15 A.M.	Registration and Breakfast
8:15 A.M. - 9:15 A.M.	Plenary 7: Commonly Used Building Materials / Basic Engineering Concepts
9:15 A.M. - 10:10 A.M.	Plenary 8: Site Work / Foundations
10:10 A.M. - 10:25 A.M.	Break
10:25 A.M. - 11:25 A.M.	Plenary 9: Concrete
11:25 A.M. - 12:25 P.M.	Plenary 10: Steel
12:25 P.M. - 1:25 P.M.	Sponsored Lunch Discussion
1:25 P.M. - 2:25 P.M.	Plenary 11: Roofing
2:25 P.M. - 3:25 P.M.	Plenary 12: Masonry
3:25 P.M. - 3:40 P.M.	Break
3:40 P.M. - 4:40 P.M.	Plenary 13: Exterior Curtain Walls
4:40 P.M. - 5:40 P.M.	Plenary 14: HVAC / MEP

Program Schedule

Thursday, November 2

8:30 A.M. - 9:30 A.M.

Plenary 1: The Players in Construction, Anatomy of a Construction Project, Project Delivery Systems

Attendees will learn the significance of the different roles and legal implications for the parties and their contractual relationships on a construction project.

9:45 A.M. - 11:00 A.M.

Plenary 2: The Bidding Process, The Construction Contract

Attendees will learn about the process and legal implications of bidding both a public and private project, and the definitions, contents, key terms, and general principles of the contracts that guide the construction process.

11:00 A.M. - 12:15 P.M.

Plenary 3: Schedules and Delays, Changes, and Differing Site Conditions

Attendees will learn the definitions and legal implications of schedules, changes in contract scope, and differing site conditions on a project.

1:30 P.M. - 2:45 P.M.

Plenary 4: Termination, Job Completion, and Contractor Payment

Attendees will learn about the legal implications of terminating a project or a party from a project, legal requirements for project completion, and general issues regarding payment.

2:45 P.M. - 4:00 P.M.

Plenary 5: Construction Insurance and Bonding

Attendees will learn the typical insurance policies encountered on construction projects and how to plan and evaluate such policies throughout the life of a project. The use of bonds on construction projects will also be explained, as well as common bonds found on projects.

4:15 P.M. - 5:30 P.M.

Plenary 6: Dispute Resolution, Remedies for Nonpayment, and Statutes Impacting Construction

Attendees will learn about different forms of dispute resolution, an overview of the parties' legal remedies when not paid, and a series of statutes that relate to construction projects and contracting.

6:00 P.M. - 8:00 P.M.

Welcome Reception

Join meeting attendees, faculty and sponsors for light bites and networking. All attendees will receive an invite with details in the welcome materials.

Program Schedule

Friday, November 3

8:15 A.M. - 9:15 A.M.

Plenary 7: Commonly Used Building Materials / Basic Engineering Concepts

In order to properly manage, avoid, or shift the risk of liability in construction disputes, parties must be familiar with the core concepts underlying the construction process. This session introduces the fundamental concepts behind engineering, and identifies the most commonly-used building materials. The engineering presentation defines structural engineering, discusses building classifications and codes, and explains structural members, components, and loads. Design methods and methodologies, and common performance expectations and shortfalls will also be discussed. Structural materials (such as steel, concrete, masonry, and wood) and non-structural materials (such as insulation, roofing, and wall-cladding) will be discussed.

9:15 A.M. - 10:10 A.M.

Plenary 8: Site Work / Foundations

Foundations and site work collectively represent one of the greatest risks to owners, contractors, and design professionals (particularly geotechnical engineers) in the construction setting – both in terms of potential increased costs and project delays. This session explains the importance of foundations in controlling risk of building movement. The level of risk varies widely depending on the type of structure, the type of foundation, the method of protecting adjacent structures, the loading intensity, and the variability of subsurface conditions. Attendees will learn about geotechnical investigations and reports, often used in construction, foundation optimization, and soil stabilization. Attendees will also learn about site conditions, excavations, bracing, protecting adjacent structures, and creating a safe work environment for workers.

10:25 A.M. - 11:25 A.M.

Plenary 9: Concrete

Concrete is among the most widely-used construction materials today and a prime subject of construction defect litigation. To help attendees better understand the technical issues in cases involving concrete design, mix, or installation, this session describes the composition, proportioning, and properties of concrete; the manner in which concrete is formed and reinforced; the most common uses of concrete in modern buildings, including prestressed, post-tension, and precast concrete; and concrete placement, finishing and curing, and concrete durability issues.

Program Schedule

Friday, November 3

11:25 A.M. - 12:25 P.M.

Plenary 10: Steel

Steel's primary purpose is to form a skeleton for the building or structure and to hold everything together. When steel fails to achieve this basic purpose, it can lead to (and has unfortunately resulted in) severe legal consequences for the construction team, including cost overruns, delays, personal injuries and death. This session will focus on both the design and construction of structural steel, and how steel is typically used in the construction process, including the engineering, detailing, fabrication, and erection. Certain special considerations will also be addressed, such as weight, connections, quality, schedule, changes, cost estimates, and failure, among others.

1:25 P.M. - 2:25 P.M.

Plenary 11: Roofing

Historically, most roofs were steep-sloped systems covered with tiles, slate, wood, etc. Through the years, builders sought to achieve larger open interior spaces and reduce construction costs by using low-slope roof framing. All roofing systems wear out over time and must be replaced or risk collapse. For that reason, a significant portion of the roofing market is devoted to roof reconstruction on existing buildings, as are a significant portion of construction claims. The session addresses roofing systems in new construction and replacement of existing roofing systems, giving attendees knowledge to evaluate these issues when negotiating roofing-related contracts and resolving roofing related disputes.

2:25 P.M. - 3:25 P.M.

Plenary 12: Masonry

Masonry, consisting of units bonded together with mortar, is one of mankind's oldest building materials and is used to protect human life and provide comfort. Historically, masonry material production and construction of assemblies were based on trial and error or empirical methods (rules of thumb). Today, we formulate materials in a more sophisticated manner, with a rational basis for selecting the size and content of masonry elements. Claims and disputes relating to masonry typically stem from the failure of masonry to provide a proper enclosure, which often leads to damage of the building interior. Masonry is also used for structural purposes, the failure or degradation of which can result in significant exposure to legal liability for the construction team.

Program Schedule

Friday, November 3

3:40 P.M. - 4:40 P.M.

Plenary 12: Exterior Wall Systems

Exterior wall system failures typically result in damage occurring to the interior to the building, particularly water intrusion. Exterior wall systems vary considerably in their materials, composition, design, and construction. This session addresses the material characteristics and design and construction principles for exterior wall systems assembly, focusing on those that impact performance most significantly, and on common problems that occur when these principles are violated – all of which relate to legal liability.

4:40 P.M. - 5:40 P.M.

Plenary 13: HVAC / MEP

This session will cover heating, ventilating, and air conditioning (HVAC) systems (aka mechanical systems), and electrical and plumbing systems. HVAC systems are critical to occupant comfort and health, and to the safety and effectiveness of many industrial processes. In extreme cases, improper HVAC operation can lead to property damage such as broken pipes, gas leaks, mold or electrical fires (and more claims). The session will cover the basics system functions, components and types, along with the design process and commissioning. Plumbing systems include all potable water supply and distribution piping, all plumbing fixtures and traps, all drainage and vent pipe, and all building drains and appurtenances within the property lines of the premises. This session provides attendees with a general understanding of the plumbing systems used in common commercial buildings. Electrical work is one of the most sophisticated, complicated and misunderstood disciplines in construction. While the work of most trades are covered in one division of a project's specifications, several divisions address electrical work. Malfunctioning electrical systems and backups can disrupt critical operations, including essential life safety systems, like the sprinkler system, resulting in claims against the specialty trade subcontractors. The session addresses two main categories of electrical work: electrical systems over 120 volts; and electronic, or low voltage systems under 120 volts.

Atlanta, GA



Site Coordinator

William Burnett, *Thompson Hine, LLP*

Local Outreach Liaison

Bill Shaughnessy, *Jones Walker, LLP*

Marketing Team Coordinator

Manuel del Valle, *Peritia Partners, LLC*

Program Sponsor

[FTI Consulting](#)

Site Location

State Bar of Georgia
104 Marietta St. NW, Suite 100
Atlanta, GA 30303

Sessions Speakers

Cliff Bishop, Ph.D., S.E., P.E., *Exponent, Inc.*
Chris Broughton, *DLA Piper*
E. Tyron Brown, *Hawkins Parnell & Young, LLP*
William Burnett, *Thompson Hine, LLP*
Jade Davis, *Hall Booth Smith, P.C.*
David Desperez, *SOCOTEC USA*
Matt Gasbarro, *Lighthouse Consulting Group, LLC*
Trevor Gillum, *Juneau Construction Company*
Chad Hayes, *Hudson Lambert Parrott, LLC*
Neil Krock, *Peach State Roofing, Inc.*
Erin Luke, *Thompson Hine LLP*
Tawny Mack, *Smith Gambrell Russell, LLP*
Joey Maxwell, *Sterling Seacrest Pritchard*
Brett McNeil, *Coleman Talley, LLP*
Walker Mills, *Juneau Construction Company*
Phil Parham, *Jones Walker, LLP*
Jordan Peponis, *Secretariat*
Masha Poorak, *Southern Electric Company, LLC*
Chadd Reynolds, *Chamberlain Hrdlicka*
Nate Rosenker, *HKA*
Brad Sands, *Jones Walker, LLP*
Connor Shankman, *Bernstein Shur*
Larry Smith, *HKA*
Caleb Sturm, *J.S. Held LLC*
Eric Vannier, *SOCOTEC USA*
Gina Vietello, *Chamberlain Hrdlicka*

Philadelphia, PA



Site Coordinator

John Gazzola, *Troutman Pepper Hamilton Sanders, LLP*

Local Outreach Liaison

Wendy Klein Keane, *Cozen O'Connor*

Marketing Team Coordinator

M.J. Torres, *Husch Blackwell, LLP*

Program Sponsor

[CPMI](#)

Site Location

Cozen O'Connor
One Liberty Place
1650 Market Street, Suite 2800
Philadelphia, PA 19103

Sessions Speakers

Emily Anderson, *Sheppard Mullin*
Liling Cao, *Thornton Tomasetti*
Benjamin (Ben) Cornelius, *Leslie E. Robertson Associates*
Daniella Gordon, *Armstrong Teasdale, LLP*
Jared Green, *Langan*
William (Bill) Griffin, *Capital Project Management, Inc.*
William Haydt, *Trauner Consulting*
Matthew Innocenzi, *Nick Innocenzi & Sons Consulting Engineers and Associates*
Jeff Mullen, *Cozen O'Connor*
Gaetano Piccirilli, *Klehr Harrison Harvey Branzburg, LLP*
Jason Spang, *Troutman Pepper Hamilton Sanders LLP*
E. Mitchell Swann, *Resolution Management Consultants*
Rachel Walsh, *Liberty Mutual Surety*
Mariusz Wiechec, *HKA*
Emily Wohlfarth, *J.S. Held LLC*
Dave Wonderlick, *Varela, Lee, Metz & Guarino, LLP*

St. Louis, MO



Site Coordinator

Jessica Courtway, *Greensfelder, Hemker & Gale, P.C.*

Local Outreach Liaison

Jeremy Brummond, *Lewis Rice, LLC*

Marketing Team Coordinator

Sydney Miller, *Husch Blackwell LLP*

Sam Thomas, *Husch Blackwell LLP*

Program Sponsor

[Manion Stigger LLP](#)

Welcome Reception Sponsor

[Lewis Rice](#)

Site Location

Greensfelder, Hemker & Gale, P.C.

10 S. Broadway St., Suite 2000

St. Louis, MO 63102

Sessions Speakers

Andy Anderton, *Nooter Construction Company*

Jeremy Brummond, *Lewis Rice, LLC*

Doug Engle, *Hillsdale Fabricators (Alberici)*

Jeanine Engle, *Hillsdale Fabricators (Alberici)*

Maren Fjord, *Alberici Group*

Nancy Inman, *ARCO Family of Construction Companies*

Carrie Kelly, *Budrovich*

Andrew Manion, *Manion Stigger, LLP*

Mike Rolwes, *Cockriel & Christofferson, LLC*

Aaron Rosen, *RosenBEC*

Jason Shupp, *Ferguson Roofing Co., Inc.*

Ken Slavens, *Husch Blackwell LLP*

Daniel Schoenekase, *Aegion Corporation*

Jennifer Therrien, *Greensfelder, Hemker & Gale, P.C.*

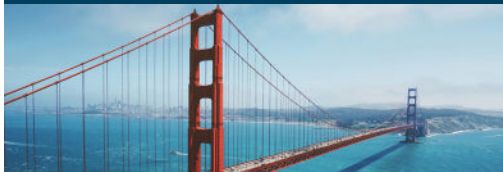
William Thomas, *Gausnell, O'Keefe & Thomas*

Patrick Thornton, *Lewis Rice, LLC*

Chris Wilken, *J.S. Held LLC*

Kendall Woods, *Laurie & Brennan, LLP*

San Francisco, CA



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Jessica Bogo, *Pillsbury Winthrop Shaw Pittman LLP*

Roger Nelson, LEED AP, PE PSP, *Spire Consulting Group*

Program Sponsor

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Site Location

Bechtel Conference Center

500 Washington St.

San Francisco, CA 94111

Sessions Speakers

Christophe Allard-Moreau, *Webcor*

Andy Argyris, *Clark Construction Group*

Todd Bressler, *BBG Construction Law*

William Broz, *ESI*

Rachel Burkhart, *Dorsey & Whitney, LLP*

John Castro, *Office of the County Counsel, County of Santa Clara*

Samantha Eng, *Thornton Tomasetti*

Jordan Everakes, *Grotefeld Hoffmann, LLP*

Richard Harris, *Rogers Joseph O'Donnell, PC*

Leigh Anne Henican, *The Gray Surety*

Mark Hopkins, *Guardian Group, Inc.*

Ernie Isola, *Gordon Rees Scully Mansukhani, LLP*

Ashley B. Jordan, *Reed Smith, LLP*

Alexander C. Juarado, *Gordon Rees Scully Mansukhani, LLP*

Patrick Kirby, *Webcor*

Kenneth A. Klein, PE, *Simpson Gumpertz & Herger Inc.*

Bennett J. Lee, *Varela Lee Metz & Guarino, LLP*

Angela Li, *Lubin Olson & Niewiadomski, LLP*

Kevin D. Marler, *MC Consultants, Inc.*

Roger Nelson, LEED AP, PE, PSP, *Spire Consulting Group*

David R. Ojala, *Thornton Tomasetti*

Avi Sharm, *Delta Consulting Group*

Aaron Silberman, *Rogers Joseph O'Donnell, PC*

Suzanne Stafford, *Ferrovial Construction*

CONFERENCE INFORMATION

ON-SITE REGISTRATION: On-site registration is available for those persons who missed the registration deadline. If you plan to register at the door, you must contact Patricia Harris Patricia.Harris@americanbar.org or 312.988.6086 by 5pm CT **October 25, 2023** to confirm space is still available. Failure to call in advance may result in not being admitted to a sold-out site.

ADVANCE REGISTRATION: Advance Registration is highly recommended to avoid delay in admittance to the meeting.

PROGRAM REGISTRATION: Online at ambar.org/fclreg23 or complete and return the attached registration form with your payment before **October 25, 2023**. Conference registrations will only be accepted when accompanied by a check or credit card. Credit card registrations may be FAXED directly to the ABA at 312-988-5850. If you do not receive a written confirmation by **October 25, 2023**, please call the ABA at 800-285-2221 to verify that your registration form and payment were received.

HOUSING NOTICE: Please note there are a small number of hotel rooms reserved for this meeting. A link to book the property will be provided in the meeting confirmation email.

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DRESS CODE. The dress code for this event is business casual.

CANCELLATION POLICY: No refunds will be granted for cancellations received after **October 9, 2023**. To receive a refund, minus a \$65 administrative fee, cancellations must be made IN WRITING and RECEIVED by Tamara.Harrington@americanbar.org.

MEMBERSHIP: To join the Forum for \$75 go to ambar.org/constructionlaw.

SCHOLARSHIP: Scholarships may be available for a limited time. Attorneys who qualify will receive up to a 50% reduction in the course fee(s). This does not include any reduction in meals, lodging, or travel costs associated with the meeting. For more information email tamara.harrington@americanbar.org or call 312-988-5674. The deadline for applications is **September 25, 2023**.

DIVERSITY SCHOLARSHIPS AVAILABLE FOR REGIONAL PROGRAMS: The Forum will award four Diversity Scholarships for the 2023 Regional Programs. The Diversity Scholarships cover the cost of registration, and are awarded to women and minority construction lawyers, construction lawyers with disabilities, and construction lawyers from the LGBTQIA+ community. Individuals wishing to be considered for a scholarship should submit a copy of their resume together with a short letter describing their construction law practice, along with reasons why they want to attend the 2023 Regional Program. If selected, candidates must commit to attend the program (the scholarships are not transferable). Questions and/or applications for the scholarships should be sent directly to the Chair of the Forum's Diversity and Inclusion Committee, Jaimee Nardiello, at JNardiello@ZDLAW.com. The deadline for applications is **September 25, 2023**.

CLE CREDIT: The ABA will seek 15.00 hours of CLE credit in 60-minute states, and 18.00 hours of CLE credit for this program in 50-minute states. Credit hours are estimated and are subject to each state's approval and credit rounding rules.

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AMERICANS WITH DISABILITIES ACT: If special arrangements are required for disabled individuals to attend this program, please contact the Forum in writing by **October 9, 2023** at the American Bar Association, 321 N. Clark Street, Chicago, Illinois 60654. Fax: 312-988-5677. Email Patricia.Harris@americanbar.org.

QUESTIONS: If you have questions or require additional conference information, please call 312-988-5674 or email Patricia.Harris@americanbar.org.

PROGRAM REGISTRATION

Forum on Construction Law
Building the Best Construction Lawyers

2023
Regional Meeting
ABA Forum on
Construction Law

- Online at Ambar.org/fclreg23
- Call (800) 285-2221
- Mail the completed registration form to:
American Bar Association
Attention: Service Center - Meeting/Event Registration C12311
321 N. Clark St. - FL 19, Chicago, IL 60654

Registration Information (please print)

NAME (FIRST, MIDDLE INITIAL, LAST) _____

(NAME AS YOU WISH IT TO APPEAR ON ATTENDEE LIST AND NAME BADGE) _____

ABA MEMBER# _____

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Registration Fees :

Non-ABA Member	Fundamentals	Sticks and Bricks	Both
ABA Member	<input type="checkbox"/> \$625	<input type="checkbox"/> \$625	<input type="checkbox"/> \$1000
Forum Member	<input type="checkbox"/> \$525	<input type="checkbox"/> \$525	<input type="checkbox"/> \$825
Law Student	<input type="checkbox"/> \$450	<input type="checkbox"/> \$450	<input type="checkbox"/> \$700
Law Student	<input type="checkbox"/> \$ 75 (no book)	<input type="checkbox"/> \$75 (no book)	<input type="checkbox"/> \$125 (no books)
	<input type="checkbox"/> \$ 200 (book)	<input type="checkbox"/> \$200 (book)	<input type="checkbox"/> \$325 (both books)

Choose your location:

Atlanta, GA Philadelphia, PA St. Louis, MO San Francisco, CA

***Join the Forum for \$75 and save on this meeting, future meetings, publications and webinars.** For registration questions please email Patricia.Harris@americanbar.org or Tamara.Harrington@americanbar.org

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For additional information contact Patricia.Harris@americanbar.org or Tamara.Harrington@americanbar.org

CANCELLATION POLICY:

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HEALTH & SAFETY: ABA IN-PERSON MEETING DISCLAIMER

The ABA takes the health and safety of our members, guests, and staff seriously. We know that the decision whether to attend a meeting is based upon a variety of personal and business considerations. We will continue to monitor a variety of sources, including the U.S. Centers for Disease Control and Prevention (CDC) and U.S. state and local health authorities for the latest public health updates, as well as applicable restrictions on events and gatherings. The ABA plans to hold this meeting in person but reserves the right to cancel or reschedule this event or convert it to a virtual event if health and safety restrictions require it. We will update the registrants and the website should the plans for this event change.

As part of the registration process to hold this ABA meeting in person, every attendee is required to affirm their commitment to comply with the in-person meeting guidelines. Please review the requirements carefully prior to registering for the meeting.

Each attendee is required to read and affirm their commitment to comply with the following in-person meeting requirements:

If I register for and attend the meeting in person, I affirm that I will test for COVID-19 if I experience any symptoms in the ten (10) days before the meeting or while attending the meeting. If I test positive for COVID-19, I shall not participate, or shall cease participating, in the meeting until at least ten (10) days after I test positive for COVID-19. The requirements in this affirmation also apply to any guest(s) or minor(s) attending the meeting with me.

I Agree

Please Print Name